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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,942	09/26/2001	Daniel Blaukopf	P-3600-US	9894
35690	7590	02/23/2005	EXAMINER	
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. BOX 398 AUSTIN, TX 78767-0398			ZHEN, LI B	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/963,942

Applicant(s)

BLAUKOPF ET AL

Examiner

Li B. Zhen

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 16 – 40 are pending in the application.

Response to Arguments

2. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 16 – 18, 20, 21, 23, 24, 26 – 30, 32, 33, 35, 36 and 38 – 40 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,314,429 to Simser.**

5. As to claim 40, Simser teaches a method, comprising:
a platform independent language application [App1, App2, App3 Java Server, Fig. 1; col. 2, line 40 – col. 3, line 16] running on a computer initiating an instance of a native language application [calls a corresponding legacy App 1 API 14; col. 3, lines 1 –

Art Unit: 2126

15] and a mediation module [conversion library 18 is an API provided DLL located within the Native C mapping layer 16 for linking a Java.TM. application to a C application; col. 3, lines 15 – 23], wherein the native language application executes in a native language [legacy C function 14; col. 2, lines 39 – 57] of a processor of the computer;

the platform independent language application [Java application] communicating with the native language application [C application] through the mediation module [conversion library 18 is an API provided DLL located within the Native C mapping layer 16 for linking a Java.TM. application to a C application; col. 3, lines 15 – 23].

6. As to claim 16, Simser teaches a computer [col. 2, lines 40 – 45], comprising:

a platform independent language application configured to run on the computer [App1, App2, App3 Java Server, Fig. 1; col. 2, line 40 – col. 3, line 16];

a first mediation module linked to the platform independent language application [App 1 API class 22; col. 2, lines 57 – 67];

a native language application configured to execute in a native language of a processor of the computer [legacy C function 14; col. 2, lines 39 – 57]; and

a second mediation module linked to the native language application [conversion library 18 is an API provided DLL located within the Native C mapping layer 16 for linking a Java.TM. application to a C application; col. 3, lines 15 – 23];

wherein the first mediation module is configured to communicate with the second mediation module [APP 1 API Class 22 calls the APP 1 Native Method Interface 20; col.

Art Unit: 2126

2, line 57 – col. 3, line 16] to provide communications between the platform independent language application and the native language application [col. 3, lines 15 – 23].

7. As to claim 17, Simser teaches in response to receiving a function call from the platform independent language application, the first mediation module is configured to communicate the function call to the second mediation module [APP 1 API Class 22 calls the APP 1 Native Method Interface 20; col. 2, line 57 – col. 3, line 16]; and

wherein the second mediation module is configured to pass the function call to the native language application [After translating the Java.TM. objects into equivalent C data structures, the Native Method Interface calls a corresponding legacy App 1 API 14; col. 2, line 57 – col. 3, line 16].

8. As to claim 18, Simser teaches the second mediation module is configured to translate the function call and associated parameters into a format suitable for the native language application [The mapping layer 16 will take any Java.TM. data submitted from the calls from the API layer 22 located inside the middle layer and translate the Java.TM. data 12 into an equivalent C data structure; col. 3, lines 1 – 16].

9. As to claim 20, Simser teaches the native language application is configured to perform the function call and provide corresponding results to the second mediation module [accessor is a method or function that returns the value of encapsulated data; col. 3, lines 23 – 37]; wherein the second mediation module is configured to

communicate the results to the first communication module and wherein the first communication module is configured to pass the results to the platform independent language application [layer 16 uses a bi-directional Java.TM.-to-C conversion library 18 to convert Java.TM. data objects 12 into equivalent C structures 20... it will be understood by a person skilled in the art how to convert data structures from C to Java.TM., or with appropriate substitutions of functions, convert between two other different computer programming languages; col. 2, lines 40 – 58].

10. As to claim 21, Simser teaches the first mediation module is configured to translate the results into a format suitable for the platform independent language application [col. 2, lines 40 – 58].

11. As to claim 23, Simser teaches the first mediation module and the second mediation module are configured to communication with each other one or more of function calls [calls an unmodified legacy C function 14; col. 2, lines 40 – 57], function parameters [data object 12 may map into multiple parameters in the function signature; col. 2, lines 40 – 57], function results [col. 3, lines 23 – 37], and event notifications.

12. As to claim 24, Simser teaches the platform independent language application is configured to launch the native language application [calls a corresponding legacy App 1 API 14; col. 3, lines 1 – 15].

Art Unit: 2126

13. As to claim 26, Simser teaches a plurality of native language applications [Legacy App1 API, Legacy App3 API, Fig. 1; col. 2, lines 40 – 67] each linked to a corresponding one of a plurality of second mediation modules [Each legacy API 14 requires an associated mapping layer 16; App1 and App3 Native Method Interface; col. 2, lines 39 – 67], wherein the platform independent language application is configured to pass function calls to each of the plurality of native language applications through the first mediation module [calls a method provided by its corresponding App 1 API class 22 or accesses a Database API class 24; col. 2, line 57 – col. 3, line 16] and one of the second mediation modules corresponding to the native language application to which a particular function call is being passed [After the App 1 API class 22 or the Database API class 24 has been accessed, the mapping or Native C layer 16 is accessed through a corresponding Native Method Interface, the APP 1 Native Method Interface 20 and a Database Native Method Interface 26 respectively; col. 2, line 57 – col. 3, line 16].

14. As to claim 27, Simser teaches the platform independent language is Java [col. 2, lines 40 – 57].

15. As to claims 28 – 30, 32, 33, 35, 36, 38 and 39, these are method claims that correspond to system claims 16 – 18, 20, 21, 23, 24, 26 and 27; note the rejections to claims 16 – 18, 20, 21, 23, 24, 26 and 27 above, which also meet these method claims.

Claim Rejections - 35 USC § 103

Art Unit: 2126

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. **Claims 19, 22, 25, 31, 34 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simser in view of U.S. Patent No. 5,491,800 to Goldsmith [cited in the previous office action].**

18. As to claims 19 and 22, Simser does not teach the first mediation module communicating function call and associated parameters to the second mediation module in a stream protocol format.

However, Goldsmith teaches communicating function call and associated parameters in a stream protocol format [translator enables the "client" protocol stack to communicate with a server protocol stack over a network communications channel; col. 15, line 52 – col. 16, line 8].

19. It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of communicating function call and associated parameters to the second mediation module in a stream protocol format as taught by Goldsmith to the invention of Simser because this ensures a consistent format for the presentation of data between the two address spaces [col. 5, lines 10 – 14 of Goldsmith].

Art Unit: 2126

20. As to claim 25, Simser as modified teaches the platform independent language application is configured to cause the first mediation module to issue a command that causes an operating system to launch an instance of the second mediation module and the native language application [a task application 754 communicates with the CSF interface 760 by creating an RPC object 756 and an API object 758 within its process address space 752; col. 11, lines 45 – 60 of Goldsmith].

21. As to claims 31, 34 and 37, these are method claims that correspond to system claims 19, 22 and 25; note the rejections to claims 19, 22 and 25 above, which also meet these method claims.

Conclusion

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2126

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,481,006 to Blandy teaches a method and apparatus in a data processing system for executing a Java method from native code.

U.S. Patent No. 6,066,181 to DeMaster teaches a Java native interface code generator by making native code programmed in a native language accessible to Java application programs.


24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
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